

I am disheartened to hear that the FCC is even considering the National Association of Broadcasters petition 04-160. My understanding is that the satellite services and the NAB have what amounts to an gentlemen's agreement on the use of terrestrial repeaters and the use of these repeaters to broadcast regional programming is at the center of this dispute. To this I ask this: has the use of such repeaters impeded local broadcaster's ability to compete with satellite radio on the level playing field? Has the use of such repeaters seriously undermined the quality of local broadcasters' signals? The answer to these questions is resoundingly, no.

Yet the NAB offers up this petition because it doesn't like the competition. But, the NAB's members are free to offer the same programming that satellite radio does but chooses not to do so because it is presumably more profitable for the vast majority of radio stations belonging to large media conglomerates to engage in "cookie cutter" programming. Meanwhile, Sirius and XM both offer alternative programming that many US consumers have been waiting on for years, which is why customers like myself are willing to pay anywhere from \$10-13 a month. And it is XM and Sirius' First Ammendment right to offer an increasing array of services, as long as the offering of these services does not seriously undermine the signals of their traditional terrestrial broadcast competitors.

Let the member stations of the NAB compete in a free market. The FCC needs to be consistent in its approach to goevrning our nation's broadcasters. You didn't see it in the best interst of this industry to continue to strongly regulate the number of stations conglomerates could own when it came up last year citing the need to let market forces do their work. Now is not the time to do a "180" and regulate what should be left to the market simply because a powerful lobbying organizations says you should do so.

Thank you for your time and I hope you will do what's best for American broadcasting.

Greg Swartzlander